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PATENT & TRADEMARK OFFICE

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MS RCE
PATENT
2761-0147P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant:	Puranam U. SARMA et al.	Conf.:	5257
Appl. No.:	09/871,961	Group:	1631
Filed:	June 4, 2001	Examiner:	L. CLOW

For: NOVEL POLYPEPTIDES USEFUL FOR DIAGNOSIS OF ASPERGILLUS FUMIGATUS AND A PROCESS OF PREPARING THE SAME

REQUEST FOR CONTINUED EXAMINATION
UNDER 37 C.F.R. § 1.114

MS RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

September 16, 2003

Sir:

This is a "Request for Continued Examination" under 37 C.F.R. § 1.114, the provisions of which do not apply to:

(1) A provisional application; (2) An application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) An international application filed under 35 U.S.C. §363 before June 8, 1995; (4) An application for a design patent; or (5) A patent under reexamination.

Submission of an RCE is limited to an application in which prosecution is closed; e.g. final rejection, Ex Parte Quayle; or notice of allowability

☒ This Request for Continued Examination is being filed prior to the earliest of:

(1) Payment of the issue fee, unless a petition under § 1.313 is granted; (2) Abandonment of the application; or (3) The filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of civil action under 35 U.S.C. §§ 145 or 146, unless the appeal or civil action is terminated.

☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

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01 FC:1801 750.00 OP
02 FC:1251 110.00 OP

☐ The enclosed document is being transmitted via facsimile.

☒ **Submission Required under 37 C.F.R. § 1.114:**

☐ Do **NOT** enter the After Final Amendment(s) previously filed on under 37 C.F.R. § 1.116.

Enter as part of the present submission:

☒ The After Final Amendment(s) previously filed on May 19, 2003, under 37 C.F.R. § 1.116 but unentered, in the present application.

☐ Arguments in the Appeal Brief or Reply Brief previously filed on .

☐ A Reply Under Rule 1.111, attached hereto. Claim fee(s) are calculated as set forth below:

	TOTAL NUMBER OF CLAIMS **PREVIOUSLY** PAID FOR	TOTAL NUMBER OF CLAIMS BEING FILED HEREWITH	**NUMBER EXTRA**	**Large Entity**		**Small Entity**	
				Rate	Fee	Rate	Fee
Total Claims	20	=		X 18	$	X 9	$
Independent Claims	3	=		X 84	$	X 42	$
☐ **FIRST** PRESENTATION OF A MULTIPLE DEPENDENT CLAIM				280	$	140	$
			TOTAL CLAIM FEE(S)			$0.00	

☐ An Information Disclosure Statement (IDS) and PTO-1449 form(s) is/are attached hereto for the Examiner's consideration.

☒ Other: Preliminary Remarks Under 37 C.F.R. § 1.111

☐ **Miscellaneous**

☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of () months. (Period of suspension shall not exceed 3 months.)

☒ **Fees**

The required fee under 37 C.F.R. § 1.17(e) as required by 37 C.F.R. § 1.114 when the RCE is filed, is enclosed herewith:

☐ $375.00 - small entity

☒ $750.00 - large entity

☒ The applicant(s) hereby petition(s) for an extension of ONE (1) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). The fee has been calculated as shown below:

☒ NO extensions of time have been previously obtained in the prior application. Thus, a fee of $110.00 is required for the full period of the above-requested extension of time.

☐ An extension of () month(s) was previously requested and paid for on in the instant application. Thus, a fee of $0.00 is required to obtain an additional () month(s) extension.

☐ The fee of $130.00 under 37 C.F.R. § 1.17(i) for suspension of action is enclosed.

☒ Enclosed is a check in the total amount of $860.00 for the applicable filing fee and extension fee.

☐ Please charge Deposit Account No. 02-2448 in the amount of $0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

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Mark J. Nuell #36,623

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Attachment(s)

(Rev. 08/14/03)